

**PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Consumer Protection and Safety Division  
Rail Transit Safety Section

Resolution ST-76  
April 7, 2005

**RESOLUTION**

**RESOLUTION ST-76 GRANTING APPROVAL OF THE FINAL REPORT  
ON THE 2004 SAFETY AUDIT OF THE SANTA CLARA VALLEY  
TRANSPORTATION AUTHORITY (VTA)**

**Summary**

This resolution approves the Consumer Protection and Safety Division (CPSD) final audit report titled, "Triennial On-Site Safety Audit of the Santa Clara Valley Transportation Authority", dated March 7, 2005. VTA is ordered to implement the recommendations contained in the report and to provide quarterly progress reports.

**Background**

Commission General Order No. 164-C, "Rules and Regulations Governing State Safety Oversight of Rail Fixed Guideway Systems" requires staff to conduct on-site safety reviews of transit agencies operating Rail Fixed Guideway Systems at least once every three years.

The CPSD and Rail Transit Safety Section (RTSS) conducted an on-site safety audit of VTA and its safety program beginning October 25 and concluding October 28, 2004. Staff conducted a post-audit exit conference with VTA management on Monday November 8, 2004.

The methods used to conduct the audit included:

- a. Interviews with VTA employees at all levels from rank and file through VTA management;
- b. Reviews of design, construction, procurement, testing, training, operation and maintenance programs;
- c. Reviews of records and procedures;
- d. Observation of operations and maintenance activities and;
- e. Inspections of equipment and facilities;

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A full description of the audit, including the scope, results, and recommendations, is contained in the final audit report, which is attached to this resolution as Attachment A.

The results of the audit show that VTA is in substantial compliance with its System Safety Program. However, some program deficiencies were identified during the audit. These deficiencies, along with recommendations for corrective actions, are described where applicable, in the Findings/Comments/Recommendations section of each checklist and in the body of the final report. A complete listing of recommendations for the correction of each identified deficiency is contained in Appendix C of the report.

### **Protests**

Staff provided a preliminary report of the audit to VTA for a 30-day review and comment period on January 14, 2005. VTA provided a comment letter of the audit report to staff on February 15, 2004. This letter stated that VTA had no substantive changes in the report.

### **Discussion**

The final report, "Triennial On-Site Safety Audit of the Santa Clara Valley Transportation Authority", dated March 7, 2005, is included as Attachment A. It is based on staff findings and includes staff recommendations.

VTA has stated to staff that it is working to develop corrective action plans for the deficiencies identified in the report and has initiated actions on some plans. VTA will provide regular quarterly updates concerning the status of its corrective actions until they are completed.

CPSD recommends that the Commission approve the final audit report titled, "Triennial On-Site Safety Audit of the Santa Clara Valley Transportation Authority", dated March 7, 2005. CPSD also recommends that the Commission order VTA to:

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- Submit a report to the RTSS, which includes the status of the corrective actions for safety program deficiencies identified during the audit;
- Submit plans and schedules for implementing or completing the recommended corrective actions contained in the report;
- Implement the recommendations in accordance with the plans and schedules submitted, and;
- Provide the RTSS with quarterly reports on the status of the corrective actions until they are completed and implemented.

**Comments**

Public Utilities Code section 311(g) (1) provides that this resolution must be served on all parties and subject to at least 30 days public review and comment prior to a vote of the Commission.

Resolution ST-76 was mailed to VTA on March 7, 2005. VTA had no comments.

**Therefore, IT IS ORDERED that:**

1. The Consumer Protection and Safety Division's request for approval of the final audit report titled, "Triennial On-Site Safety Audit of the Santa Clara Valley Transportation Authority", dated March 7, 2005, is granted.
2. The Santa Clara Valley Transportation Authority (VTA) shall submit to the Rail Transit Safety Section (RTSS) plans and schedules for implementing all recommended corrective actions contained in the final audit report. Those plans and schedules shall be submitted no later than 45 days from the effective date of this resolution.
3. VTA shall complete and implement all recommended corrective actions contained in the report, in accordance with plans and schedules submitted to the RTSS.
4. VTA shall prepare and provide quarterly status reports, beginning in May 23, 2005, to the RTSS. The reports shall contain detailed

information on the implementation of all remaining recommended corrective actions contained in the final audit report. Quarterly status

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reports shall continue to be provided until all recommended corrective actions are completed and implemented.

5. This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission at its regular meeting held on April 7, 2005. The following Commissioners voting favorably thereon:

/s/ STEVE  
LARSON

STEVE LARSON  
Executive Director

MICHAEL R. PEEVEY  
President  
GEOFFREY F. BROWN  
SUSAN P. KENNEDY  
DIAN M. GRUENEICH  
Commissioners

# **ATTACHMENT A**

[2004 Safety Audit to Res. ST-76](#)